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## THE DIFFICULTIES OF CHILD-LABOR LEGISLATION IN A SOUTHERN STATE

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In the discussion of the subject assigned me, I shall, of necessity, confine myself principally to the recital of those difficulties which confronted the advocates of such legislation in Mississippi during the past few years, and especially during the session of the state legislature a year ago. The National Committee has from time to time been advised of the status of child-labor legislation in other Southern states by those familiar with the subject, by reason of having personal knowledge of the many difficulties they have themselves encountered. Since Mississippi is the only Southern state to which my personal knowledge extends, I shall not attempt to discuss the situation in any other state; and since the enactment of such a law in Mississippi is recent in point of time, it may be of interest to members of the National Committee and others to be advised of some of the experiences of those of us who took a hand in the fight for the protection of the children of our state.

Mississippi is the last state in the Union to enact a child-labor law, except Oklahoma and Nevada, and be it said to the credit of Oklahoma, the legislature of that state, at its first session, enacted such a statute, but it was vetoed. The necessity for such a statute in Mississippi is not so great as in many of her sister states, principally because there are so few children employed at work which is injurious to them. There are no mines; no glass factories; no sweat shops; less than twenty cotton and woolen mills, and not more than half a dozen canning factories in which child labor is employed. There are no large cities in the state and consequently few paupers. Thus the evil is reduced to a minimum, and this condition is no doubt responsible for the long delay in the enactment of suitable statutes for the protection of helpless childhood. Public sentiment was not aroused to the magnitude of the child-labor evil throughout the country, because the people were not advised and did not have the matter brought directly home to them in many parts

of the state. It has been through the persistent efforts of the several organizations in charge of the campaign in Mississippi that public conscience has been awakened to the necessity of a law which would prevent children of the state from suffering because of neglect on the part of the legislature to properly protect them. This, then, was the first great difficulty encountered, and it took many years of earnest and persistent labor to arouse sufficient interest in the cause to wage a winning fight. The credit for the work is due principally to the good women of Mississippi, through whose efforts the importance of enacting child-labor laws has been brought before the public mind.

After the fight had assumed sufficient proportions, bills were introduced into the state legislature to prohibit children of tender years from being employed in factories. Members of the legislature were, however, not sufficiently advised of the importance of the measure, and those who hailed from mill towns were so bitter in their opposition that for several sessions all efforts were unsuccessful. At the session of 1908, however, many legislators had announced in advance of the convening of the legislature that they would support a child-labor bill. Literature was forwarded to them giving statistics in other states, and the secretary for the Southern States made a personal visit to Mississippi and sent a special agent to the various cotton mills to procure data for use before the legislature, so that when the hour of battle arrived the advocates of child-labor legislation found themselves equipped and armed with facts. In spite of the lobby which had always been maintained by the mill interests, and in spite of the stubborn opposition which followed the introduction of the bill, the members of the legislature who opposed it seemed to be unadvised on many of the important points under discussion.

### *The Opposition*

It was my privilege to draft the bill. It was introduced early in the session and required the persistent efforts of those interested in its passage to keep it from being unfavorably acted on in committee, since the mill interests kept representatives at the capital constantly, who on several occasions appeared before the committee to present their side of the question and to argue what they claimed would be an injustice and hardship to the mills and families em-

ployed therein. Not only did these men appear before the committee, but they talked with members of the legislature whenever the opportunity presented, and endeavored to persuade them that business interests would be injured and the mills subjected to a heavy loss if deprived of the labor of the children. They seemed forgetful of the fact that the state owed a greater duty to the children than to any moneyed corporation within its borders. They seemed to forget that the health, education and moral training of children was of more importance than dividends of stockholders in factories where these children spent their lives. Just as in the commercial world the dollar is the unit of value, so in the body politic the child is the unit of value, and upon the soundness of the child depends the future of the state and nation.

In most instances, the mill interests secured the support and influence of the local representatives, this being due no doubt to a feeling on the part of the legislators that great damage would result if poor children were forced out of employment. Perhaps they also feared that the advocacy by them of child-labor legislation might not be approved at home and that their course would meet with condemnation by the influential citizens of their respective counties, many of whom were interested in the mills. They may have feared also that children thus thrown out of work would become a charge upon charity, or that a dependent parent might, by the loss of the child's wages, suffer for the necessities of life. They seemed to forget that their first duty was the protection of the small children, whose property is so well protected by the laws of the state, but whose physical, mental and moral welfare has been without the protection of the law. They seemed to forget that no one ever died of starvation in Mississippi. They seemed to forget also that no community has ever permitted a deserving woman or child long to want for the necessities of life.

The only argument we could use against the contention of the mill owners was to take the high ground of justice and right, and appeal to the humanity of the legislature. Even then we were met with the proposition that the children and their families were better off in the mills, and that it was to their interest to be allowed to remain in the employ of factories without restriction. We were also met with the proposition that the state should not interfere with a parent's right to control his own child. In this latter

contention, however, we had no trouble in convincing the members of the legislature not only that they had the right, but that it was their duty in many instances to do so. It is the duty of the state to save the child, not only from corporate greed, but from its own parent, if necessary.

*Compromise rather than Defeat*

After having obtained a favorable recommendation from the committee, when the bill was called for passage it was very bitterly assailed, and a motion to re-commit was carried after a discussion of certain features most strongly attacked by its opponents. After recommitment a subcommittee was appointed, and I appeared before this subcommittee and decided to make certain concessions by way of compromise rather than risk a defeat of the bill, since the vote was very close; and I had hopes that two or three members who had opposed the bill when first offered would support a compromise measure. In this conclusion I was correct. Practically the only concessions made were to change the age limit from fourteen to twelve years and the elimination of that feature of the bill requiring employees under the age of sixteen years to have attended school for a portion of each year in which they accepted employment in factories. The bill then came up for final passage in the senate. The mill interests were strongly intrenched, having a number of their representatives on hand. When the bill was called section by section for passage, amendments were offered to almost every section in an effort to get the bill so amended that it would be of no service whatever, or unacceptable to its own advocates. The hackneyed provision with reference to "invalid fathers, widowed mothers and orphan children" was offered, but defeated by a close margin.

Then came a fight on the number of hours per day which the children should be permitted to work. Following the recommendation of the Nashville Conference of 1907, I had agreed on a ten-hour day, though personally I preferred to see an eight-hour limit inserted. Even a ten-hour day was opposed on the ground that the mills should be allowed to use their own discretion as to the number of hours of employment. They objected to any regulation whatever in the number of hours of employment per day, but were willing to accept a sixty-three hour week. The bill, however, finally

passed with a provision restricting a day's employment to ten hours, fixing a fifty-eight hour limit per week. Night work of children under sixteen years of age is prohibited, and applicants under that age required to furnish a certificate from their parents showing their age and educational advantages, and one from the county health officer showing their physical condition. The enforcement of the law will necessarily be somewhat handicapped by reason of the fact that no provision was made for the appointment of a factory inspector, this duty having been assigned to the sheriff of the county where the mill is located, and to the county health officer. It was thought useless to ask the creation of a special office of factory inspector, because there were so few mills in the state where child labor is employed, and so few children employed therein, that the duty could be performed with less expense and with almost as great efficiency as by a special officer.

After the bill was sent to the house of representatives, the fight was renewed. The mill interests feared to have the bill called on the calendar, since its passage was practically assured if it ever came to a vote. Dilatory tactics were adopted, and it was some time before the matter was taken up in committee. The committee set a date for hearing objections to the bill, and after arguments on both sides had been heard, recommended the bill just as it came from the senate, except that a sixty-hour week was fixed, with no regulation as to a day's employment for children under sixteen years. This amendment was defeated on the floor of the house, and the bill was passed on the day before adjournment, and received the Governor's signature on the last day of the session.

#### *Continued Opposition to the Law*

The statute went into operation October 1, 1908, and I am advised that the various mills have regulated their schedules so as to come within the pale of the law. The mill owners, however, have not been silent in their protests since the enactment of the law, but have announced their determination to fight for its repeal or modification at the next session of the legislature. So it will be seen that not only were we confronted with difficulties in the passage of the law, but we must keep it on the statute books over the protests of the manufacturers. This we believe we can do, as the more the question is agitated, the greater will the interest in the welfare

of the children become. When the issue is clearly defined, and becomes in reality a battle between the dollar and the child, the people of Mississippi, as well as those of every other Southern state, will respond to the cry which comes to them from helpless children, unable to protect themselves from slavery of body, dwarfing of mind and neglect of soul. The people of Mississippi have the Anglo-Saxon pride of race which will not deny to struggling children an opportunity to acquire strength of body, development of mind and expansion of soul necessary to fit them to become strong and influential citizens, the fathers and mothers of future generations.

This movement has been frequently characterized as fanatical. It has been said that it is the work of women and preachers. If this be true, then all the more credit is due the good women and preachers who have undertaken such an unselfish work, and have fought such a winning fight. God pity the woman whose heart is not touched by the cry of a child; God pity the child of such a woman; God pity the minister who has forgotten the words of the Master, "Suffer little children to come unto Me."